

CHARTER REVISION COMMISSION

May 26, 2005
REGULAR MEETING MINUTES
(PUBLIC FORUM ON LOCAL GOVERNMENT)
May 26, 2005 at 7:30 p.m.
East Windsor High School Cafeteria

I. Call Meeting To Order

Mr. Leborious called the meeting to order at 7:30 p.m. at the East Windsor High School Cafeteria. He welcomed the crowd to the public forum and introduced the Commission members.

II. Attendance: Richard Leborious, Chairman, John Parda, Joe Roberts, Noreen Farmer, Peter Nevers, Kathy Bilodeau, Cliff Nelson, Ed Filipone, Ralph Saunders

Also present – panel members: Bonnie Therrien, Wethersfield Town Manager; Professor Antonia Moran, Central Connecticut State University; and Linda Roberts, First Selectman, Town of East Windsor.

III. Public Forum on Local Government

Mr. Leborious outlined the appropriate Connecticut General Statutes for local government Charter Revision. Charter Revision is an important citizen function, wherein tremendous discretion is allowed to propose changes that make lasting effects. Some of the changes are not so glamorous, while some establish government impact. Mr. Leborious gave the timeline wherein the Commission needs to provide its recommendations to the Board of Selectmen and the required public hearings. The Commission needs to make sure the recommendations are in line with the Constitution, as well as State Statute. The Commission's work to date was reiterated and the public was invited to attend any Charter Revision Commission meetings. Mr. Leborious stated the panelists would make a brief presentation and then field any questions from the audience.

PROFESSOR ANTONIA MORAN, CENTRAL CONNECTICUT STATE UNIVERSITY

Mr. Leborious introduced Professor Moran as the first speaker. He outlined her background education and professional resume.

Ms. Moran teaches state and local government and none of the textbooks used talk about the type of local government found in Connecticut. Connecticut is antiquated and the forms of government in Connecticut are not found outside New England and not held by all states within New England. It is curious as it has no counties and there is a variety of forms of government found from town to town. Basic principals of government are the branches: Executive, Judicial and Legislative. These principals are all over the map in Connecticut, for example a Board of Selectmen could be an executive function and/or a legislative function. This variety of local governments is interesting and presents challenges.

Connecticut needs things within easy reach. She gave a history of Connecticut local government. The General Assembly had approved town Charters, which was a change due to big business rail roads. In the late 1800's the State legislature backed away from direct administrative functions and created procedures.

Boards of Finance are relics from the late 1800's – where the belief was that a political party had too much power, so a separate group was created to do the finances. There used to be a State Board of Finance, but this was dissolved.

There is an interest on the Town side to be free from government → the Home Rule clause allows Towns to write their own Charter. Some items Towns cannot get away from, but as to the structure of government the Town is free to create for themselves. It is important for citizens to create structure for good government. Charter Revision allows the citizens to revisit the fundamental document that establishes rule.

In the 20th Century there has been a shift toward professionals. The rationale can be gleaned from the statement “running a poor farm is different from running a hospital.”

The foundation of American democracy is that ordinary citizens can make government. This can happen if adequate professional back up. Government is very complex for local knowledge. The Town Meeting does not address today's world, it assumes people in Town have time to contribute and have sense of civic virtue (a sense of community). There is not a large available pool of people to take on elected offices. The Town Meeting as a legislative body fails → the body is supposed to be 6,000 people (a population) wherein 30 people attend.

The referendum for budget was discussed and the Town Meeting function was questioned.

A town the size of East Windsor usual has a town council → strong/weak mayor and some professional. Bigger towns have strong mayor and professional manager.

LINDA ROBERTS, FIRST SELECTMAN TOWN OF EAST WINDSOR

Mr. Leborious introduced Ms. Roberts as the next speaker. He outlined her background education and professional resume, as well as her state and local government experience.

Ms. Roberts had mixed feelings on being on the panel and thought it might be beneficial to have a mayor/first selectman from an area town present, but alas everyone is busy in the height of budge season.

Twenty-five years of government has seen many things. She contrasted the East Windsor of 1980 versus the East Windsor of 2005.

Town of East Windsor	1980	2004/2005
Budget	5 ½ million → 68% education	\$28 million → 58% education
Population	> 8,000	< 10,000
Student Population	1590 students	2003 town report → 1589
Employees/Unions	Less than 30 Town Employees → no union → no medical /pension /retirement costs	100 employees, four unions, personal issues, medical/pension large consideration
Park and Recreations	All volunteers	Year-round Director
Police Department	Less than 6,000 calls	17,406 calls \$500,000 to renovate police headquarters
Fire Department	Volunteer → simple/basic BBFD building built for cost of just over \$1/2 Million	Incentive plan for firefighters, training mandates
Public Works	5 people → overlaid two roads and oiled the rest	7 people → 70 miles of road, Public Works Director is also Town Engineer who reviews all construction plans.
Industrial Park	Infant stage in remote location	Industrial Park is full 400,000+ sq. ft commercial construction

Town of East Windsor	1980	2004/2005
Building Department	420 Permits 20 new houses	Over 600 new houses built → E.W. a prime location for industrial and residential (40% industrial/60% residential) Town Planner build out → 75- 80% industrial/commercial land used, only 25% potential residential land used
Auditor recommendation	Finance records on a computer	GASB mandates for assets, full computer systems with IT Committee in place (volunteer)
Charter	Ed Hostillo recommended a charter	----
Assessor	-----	Reval every five years.

The First Selectman coordinates all of the above and provides employees the ability to do this efficiently. Basic services are still provided by local government. It is a complex delivery of services while remaining within guidelines and the demand is for a higher degree of professionalism.

“People who want the job have no idea what it is, those who know the job would not touch it with a ten foot pole.”

Ms. Roberts outlined her background when she took the position and the time it took to become functional at the job. A new person in the position, what they do and what they do not do effects the town. The learning curve and transition period are a concern. The voters of East Windsor need to think carefully on how the Town is to move ahead and to be sure to keep the Town on a positive path.

BONNIE THERRIEN, TOWN MANAGER, WETHERSFIELD

Mr. Leborious introduced Ms. Therrien as the final speaker. He outlined her background education and professional resume, as well as the responsibilities of a Town Manager.

As a Town Manager Ms. Therrien is basically running a \$65 million business. If it were a company, the stockholders in that company would want a professional to handle the business. She likened her situation as the 9 council members are elected and similar to policyholders in a

corporation and the Town Manager is the CEO, who helps the policy makers make good decisions to promote sound decisions.

She does not always agree with the elected body's decision, but it is the Manager's job to put the policy in place.

One of her roles encompasses hiring and firing of employees. This is a litigious society, hire and firing decisions need to be made carefully. She has 150 employees, of which only six are non-union. She negotiates the contracts which entails knowledge in labor laws, federal laws and arbitration dealings. She also develops a budget by working with the Department heads and Education departments. It is an effective, yet cost conscious budget. The council decides the budget and it is her role to implement that budget.

Ms. Therrien is in charge of Public Safety which encompasses the police department, fire department, as well as Homeland Security training and equipment.

There are several legal aspects to managing a town → environmental/union/banking (audit standards). If not handled correctly there is the danger of leaving the Town open to a legal battle.

Ms. Therrien relayed her experience as the first Town Manager of Berlin. The change to that form of government was passed by six votes. While she started her position people would say she had no accountability because "I did not vote for her". The people who are elected chose the manager. The manager needs to be on the positive side of the elected officials, so therein lies the accountability. The Town Manager position removes the politics → nine people all get the same information, all from her. She is a non-political figure, everyone gets the same information.

The Town Manager gives continuity → council members change, but the Town Manager can introduce policy and ongoing projects to new members and the staff has the same boss, which is important.

Some say Town Manager's cost too much money → her salary is \$110,000. There is a good administrative savings in the long run through budgetary items, legal items and OSHA training compliance.

She relayed that she was proud to say that while she started at Berlin by six vote margin – when there was a challenge in that Town to return to the old ways, the vote to keep the Town Manager passed 3 to 1. The idea proved itself in the face of adversity.

RICHARD LEBORIOUS, CHAIRMAN

Mr. Leborious interjected that Home Rule allows Towns to determine what form is to be adopted and there is no script that needs to be followed. There can be multiple combinations to suit the Town needs and protect the interests of the citizens. The idea is to have appropriate access to officials and determine that the tax dollars are spent wisely to benefit the community as a whole.

BRIEF RECESS 8:10 P.M.**PROFESSOR ANTONIA MORAN, CENTRAL CONNECTICUT STATE UNIVERSITY**
Additional comments:

The Town Meeting is less and less effective mechanism for public participation.

East Windsor has seen a rise in condominiums. Condo residents see themselves apart, transient members – they are angry at the increase in taxes as they feel they pay for services within their condo fees and budget cuts are due as they have no responsibility to the Town. Increase in housing has a high cost as the population changes there is an demand for more services. School population is stable, but seniors are reluctant to spend money on education. Political difficulties, if not mediated by professional staff member, can lead to difficulties.

OPEN FORUM WITH PUBLIC CONVERSATIONS

**During the question and answer portion of the forum, the recording secretary was unable to hear all of the names of residents who spoke, as there was a loud air conditioning unit running simultaneous to conversations. Residents did introduce themselves to the Commission, but those names which were not heard by the undersigned are noted as “Resident”. Thank you.*

Mr. Leborious asked residents to stand and state their questions, comments and concerns to the Commission. The public was asked to limit their comments to three minute intervals, with an option to again address the Commission, after others had a chance to speak.

Robert Lyke, Rye Street

Mr. Lyke stated there were 600 applications for new houses, how many for new business?

There is 400,00 sq. ft of commercial industrial space in some form of development.

Mr. Lyke acknowledged the formidable task that the Commission has, he sat on the Charter Revision Commission in the past. “If it ain’t broke, don’t fix it.” The current form of

government is old and its worked for 200 years with a qualified caring individual in the role. Any form of government revision should cover all parts of town. Rather than whole sale changes, there needs to be custom tailor hybrid change, or it will not pass.

Resident

Opinion: not particular what form of government, or if a professional runs the show, as long as the taxpayer has a voice whether the budget passes or not.

Geza Danyi, Rye Street

Mr. Danyi read the forum flyer, bullet by bullet and addressed issues.

Stick by the Board of Selectmen form of government. The Town is not ready for something different, and he does not feel that the Town takes full use of the Board of Selectmen form.

The First Selectman position by nature is a tough job, a lot of responsibility, a large task for anyone. If you turn a car into an SUV it does not work. He suggested distributing the work to other Selectmen, which is not easy due to politics.

There are five selectmen on the Board, increasing the number will not give better quality. There is a lot of special interest in town to promote own agenda.

The budget should always go to referendum. A good budget will pass. A bad budget will get defeated.

There are community pressures: protect the aquifer, land use issues, and developer interests.

To minimize the risk against litigation, the Town needs to take a stand against litigation.

As to telling the public they have three minutes to speak - it is upsetting to be told to stop talking. He felt that it should be that speakers are allowed a 10 minute minimum to speak – thereby putting the pressure on the speaker to make a good presentation. People will not show up to Town Meetings to speak at all if they are limited to two to three minutes.

The current form is right for East Windsor. It is dangerous to take items out of context – handing things over to people who don't know what they are doing is the American way.

Resident (Stoughton Road)

He asked of the Commission has made a decision, or is looking for input.

The Commission is looking for input at this point and has taken the direction of investigating the professional administrator option for the Town. No specifics have been drafted, no decisions made. The Commission has spoken with other communities, the Town's Boards, Commissions and Departments, and has held one public hearing. At this point the Commission wants to hear what the community has to say to determine if changes are necessary to serve the community.

Why change the government if other committees within the government are not complaining – why bother?

The Charter needs to be reviewed every five years. Professor Moran added that it is hard for Towns to find a candidate that will take on the responsibility and is perceived as capable to do that responsibility. Many local elections run unopposed as it is hard to find candidates.

Marie DeSousa, 10 Rice Road

Once the decision is made does this item go back to the public to vote on? What is the criteria for an individual to be eligible for the Manager position.

Pursuant to Connecticut General Statutes, a public hearing was held before substantial revisions were made. Once a draft proposal is in place, another public hearing will take place. At that point the Commission can make changes, and the recommendations go to the Board of Selectmen. The Board of Selectmen can hold a public hearing. It is the option of the Board of Selectmen to accept the recommendations, they can also divide the question(s) on the ballot or the Board of Selectmen can review the draft Charter and send it back to the Charter Revision Commission with recommendations and changes. At that point it goes back to the Board of Selectmen to accept or reject. If the Board of Selectmen reject the draft the public can petition the question onto a ballot. There are lots of options.

Who hires the professional manager?

There is a transition period with a Professional Administrator. The individual is hired by the Board of Selectmen. There is also a Town Manager Association which will assistance in the hiring process, especially a Town with a first time manager.

What timeline does the Charter Revision Commission have?

The Commission has 16 months from the initial appointment. The charge is to submit to the Board of Selectmen a draft by the end of the calendar year.

Rand Stanley, Rye Street

The level of a professional today is bumped up compared to the level of twenty years ago. Also the level of expectation from the general public is increased.

Resident

Response to her question/comment, (not heard by the recording secretary) was the following:

The CEO is the head of the administrative side of the municipality. The scenarios could still include a Board of Selectmen, Board of Finance and/or Town Manager – the Charter can read anything in between. Policy decisions are made by the elected officials – the professional administrator carries out those policies. The administrative staff does not necessarily have to change. Administrative staff is paid, typically the elected Board at that point is not paid.

Peter Nevers, Commission member

He was pleased to have a big concern alleviated, the lack of public participation to date. The input received at the forum was the best received to date. The Commission does not want to go through the motions of a charter revision to have it voted down as the public is not informed. He thanked the people for educating the Commission during the fact finding stage.

Cathy Crouch

How long was the transition period in Berlin? (directed to Ms. Therrien)

Two years of hard transition. The Town went from a three member Board of Selectmen to a nine member council. It had to be handled delicately. The former First Selectman had to get used to not doing administrative duties and stay on the policy side. The public had to get used to going to the manager and not the first selectman. The elected official can advocate for the public. The staff liked the change in that there was a buffer with one person who handled the administrative instead of several individuals providing instructions. It took a strong person, people got upset, it went from 32 people who directly reported to the First Selectmen to 9 or 10 people. The transition takes time. Berlin now has seven members on council, through Charter change, as nine was too many.

Ms. Roberts provided input that some transitions in East Windsor have been made in the past due to Charter Revision changes. The last Charter Revision had some structural changes which allowed for more interoperability – it took time.

Resident

Is it dominate across the country in towns of < 10,000 people for professional administrative form?

In Connecticut there are 169 Towns, 30 to 40 have professional administrator – 10 to 15 of those towns are within the population range of East Windsor. It is the current trend of towns of 10,000-20,000 and 20,000-40,000 populace to move toward town manager/council form of government. The council hires/fires the professional manager.

There are a number of communities examining the question of professional administrator – East Granby, Andover, Salisbury and Avon were given as examples.

Resident

The manager is responsible to the elected officials, what of the staff?

The staff level is determined the same way and is part of budget review. There are no proposed changes in that, nothing to dictate an overall staff structure, although it can change.

Robert Lyke, Rye Street

He was 20 years as a full-time Director of Finance. There needs to be accountability of elected / appointed officials. A strong chief administrator keeps the house honest. He suggested that it be considered to incorporate (at least part time) a qualified economic development person to get tax base stable.

Rand Stanley, Rye Street

Based on experience, who is the hardest to train – politician, public or employee?

Therrien: If the politician involved is from the old form of government, it is very hard to bring them around – politicians are hardest to retrain.

Moran: Average length in the country for service of a Town Manager to a specific Town is five years – so there is a great deal of accountability. There have been Town Managers of longer duration – Southington has the longest serving Town Manager in the United States.

Resident

Does a Town Manager automatically eliminate a budget referendum?

No – there are a number of ways to adopt a budget.

Resident

Does the professional administrator have to be a resident?

99.9% of the Charters mandate the Professional administrator live in the town. It makes sense that the person lives in the community, pays taxes, uses public schools and public safety agencies. It is not a pre-requisite, after offered the position, the manager is given a grace period to move into the Town.

Marie DeSousa, Rice Road

Is there a criteria which outlines education and experience for how the Professional Administrator is selected – will this be in charter or decided by the Board of Selectmen?

There are increased qualifications and education for a Town Manager – more so than is probably on the current Board - once these items are specific in a charter, it is difficult to change.

Ms. Roberts – The First Selectman works very hard for East Windsor and has on the job training, which is important.

Robert Lyke, Rye Street

Will the professional police force be managed by an elected official? Advice: Brevity, the least amount of change for voters,

There was no discussion on this topic to date by the Commission and they were not prepared to discuss at the forum.

Noreen Farmer, Commission member

Input on all aspects of Charter Revision and advised the audience to read the Town Charter and look for other issues they might feel need attention. There are many items in the Charter to discuss, not only the form of government issue. The Commission needs to go through the entire Charter and needs as much input as possible on the whole picture.

Professor Moran: While the Professional Administrator and elected/appointed officials are a large part of the Charter Revision, there are other issues – choosing the form of government does not deal with the legislative body, the budget process – or a whole range of issues that need to be

addressed during a Revision of a Charter. Democracy and government are a big process, with Town Manager being one piece of the puzzle.

John Zawilinski, Hillside Drive

The First Selectmen term should be two years.

Resident

The previous statement was disagreed with – the elected official gets into office and then has to start a re-election campaign. It's a waste of time and should be four years.

Tom Weldon, Warehouse Point

Does a Town Manager improve opportunities for grants and speed the process of government along?

Therrien: It definitely improves possibility for grants as the Manager brings expertise on how to get grants awarded. The Manager does make for an efficient and effective government. There are excellent officials out there, but everyone has heard of scenarios where those officials are not so good.

Resident

There are avenues for elected officials, such as CCM and organizations to assist in applying for grants.

Robert Lyke, Rye Street

Does the present Charter outline information on the taxing authority of the fire district?

State statute outlines fire district authority. East Windsor fully funds the fire department and Warehouse Point Fire District has never exercised their authority to tax.

Richard Leborious, Chairman

In conclusion: Mr. Leborious, on behalf of the Commission, thanked all in attendance for their input. Charter Revision Commission meetings are held on the second Monday and fourth Thursday of every month at 7:30 p.m. at the East Windsor Town Hall. The meetings are televised on cable on Channel 16 Tuesdays at 9 p.m. and Wednesdays at 1 p.m.

IV. Adjournment

MOTION: To adjourn at 9:20 p.m.

Made by Ms. Farmer, seconded by Mr. Saunders

ALL MEMBERS IN FAVOR. MOTION CARRIED.

Respectfully submitted,

/cdc/

Cynthia D. Croxford
Recording Secretary